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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,417	01/20/2000	Magda Mourad	SE9-99-020	3136
23334	7590	04/26/2005	EXAMINER	
FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO P.L. ONE BOCA COMMERCE CENTER 551 NORTHWEST 77TH STREET, SUITE 111 BOCA RATON, FL 33487			REAGAN, JAMES A	
		ART UNIT		PAPER NUMBER
		3621		
DATE MAILED: 04/26/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/487,417	MOURAD ET AL.	
Examiner	Art Unit		
James A. Reagan	3621		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 09 March 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-25 is/are pending in the application.  
4a) Of the above claim(s) 1-6, 19, 20 and 25 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 7-18 and 21-24 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_

**DETAILED ACTION**

**Status of Claims**

1. This action is in response to the restriction election filed on 09 March 2005.
2. Claims 7-18 and 21-24 have been elected.
3. Claims 1-6, 19, 20, and 25 have been withdrawn.

**Notice of Non-Compliant Response**

4. 37 CFR 1.121 states that whenever there is any amendment to a claim, a claim listing of all claims ever presented in the case must be supplied in ascending numerical order. In addition, the claim listing must include:
  - The **claim number** of every claim ever presented in the application, whether entered or not;
  - A **status identifier**, in parentheses, following each claim number;
  - The text of all pending claims (including withdrawn claims); and
  - **Markings** to show the changes made only to the current amendment relative to immediate prior version.
5. The seven (7) permissible status identifiers are:
  1. **(Original)**: Claim filed with the original specification.
    - Not added by a preliminary amendment and
    - Not previously amended.
  2. **(Currently amended)**: Claim being amended and which is not withdrawn from the current amendment.

- Must include markings (strikethrough, double brackets, or underlining) to indicate changes.

3. **(Cancelled):** Claim cancelled or deleted in current amendment or previously cancelled/deleted.

- Do not present the text of a cancelled claim.
- Consecutive cancelled claims may be grouped together (e.g. claims 1-5 (cancelled)).

4. **(Withdrawn):** Non-elected claim.

- The text of a withdrawn claim must be presented.
- Currently amended withdrawn claims must be presented with markings (strikethrough, double brackets, or underlining) to indicate changes.

5. **(Previously presented):** Claim that was previously added or amended in an earlier amendment paper.

6. **(New):** Claim being added in the current amendment paper.

- The text of the claim must be presented in clean form without underlining.

7. **(Not entered):** Claim presented in a previously unentered amendment.

- Do not present the text of a not entered claim.
- Consecutive not entered claims mat be grouped together (e.g. claims 1-5 (not entered)).

In the present case, Applicant has elected claims 7-18 and 21-24 while withdrawing claims 1-6, 19, 20, and 25 from further consideration. Therefore, claims 1-6, 19, 20, and 25 should have the status identifier **(Withdrawn)**. Appropriate correction is requested. Applicant has one (1) month to comply.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to:

**703.305.7687** [Official communications, After Final communications labeled "Box AF"]

**703.308.1396** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

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JAR

19 April 2005

